

PATENTS
ODS-10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Kevin D. Satterfield et al.
Application No. : 09/516,428 Confirmation No. 3649
Filed : March 1, 2000
For : INTERACTIVE WAGERING SYSTEM WITH CRITERIA
WAGERING
Group Art Unit : 3629
Examiner : Richard S. Woo

Mail Stop Petition
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

EXPRESS MAIL CERTIFICATION

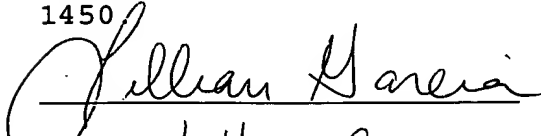
Express Mail Label No. EF230784452US

Date of Deposit: January 5, 2005

I hereby certify that this certification and the following papers:

1. Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action (in duplicate);
2. Declaration of Adam M. Saltzman;
3. Copy of the front cover of the file folder; and
4. Docketing system print-out

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Name: Lillian Garcia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

Sir:

Applicants respectfully request that the Office
Action in the above-identified case be re-mailed. Applicants'
agent, the undersigned, spoke to the Examiner on
December 20, 2004 during which the Examiner informed him that
applicants had failed to respond to an Office Action mailed
June 15, 2004.

01/07/2005 MAHMED1 00000025 061075 09516428

01 FC:1464 130.00 DA

Express Mail No.:
EF230784452US

As demonstrated in the enclosed Declaration of Adam M. Saltzman, no such June 15, 2004 Office Action was received by the undersigned or Fish & Neave LLP, the attorneys and agents of record,* for the above-identified case.

Further, no such Office Action is in the application file for this case. There is also no indication on the front cover of the file folder (copy enclosed) that this Office Action was received.

Moreover, there is no indication in our docketing system that this Office Action was ever received, as demonstrated by the enclosed docketing system print-out for all actions relating to the above-identified case. If the Office Action was received, the docketing system is where the receipt of the Office Action would have been entered and docketed for responding.

For the foregoing reasons, applicants respectfully request the Office Action be re-mailed, thus resetting the date for response.

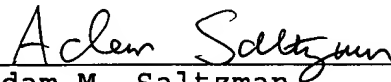
* Prior to January 1, 2005, the attorneys and agents of record were employed by Fish & Neave LLP. As of January 1, 2005, the attorneys and agents of record are now employed by the Fish & Neave IP Group of Ropes & Gray LLP.

If the Patent and Trademark Office deems that this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action should be considered a Petition For Revival Of Abandoned Application pursuant to 37 C.F.R. § 1.137, the Commissioner is hereby authorized to charge payment of the appropriate petition fee set forth in 37 C.F.R. § 1.17, and any additional fees, to the Fish & Neave IP Group of Ropes & Gray LLP Deposit Account No. 06-1075. A duplicate copy of this paper is enclosed.

The Commissioner is hereby authorized to charge ~~\$130.00~~ in payment of the petition fee set forth in 37 C.F.R. § 1.17, and any additional fees, to the Fish & Neave IP Group of Ropes & Gray LLP Deposit Account No. 06-1075. However, because the filing of this Petition is not due to an error on the part of applicants or applicants' attorney, it is respectfully requested that if this is found that the fee be refunded. In addition, the Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit

Account No. 06-1075. A duplicate copy of this paper is enclosed herewith.

Respectfully submitted,



Adam M. Saltzman
Reg. No. 52,188
Agent for Applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
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Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION OF ADAM M. SALTZMAN

Sir:

I, ADAM M. SALTZMAN, declare and state as follows:

1. Prior to January 1, 2005, I was a patent agent at Fish & Neave LLP, previous attorneys and agents of record in the above-identified patent application. As of January 1, 2005, I am now a patent agent at the Fish & Neave IP Group of Ropes & Gray LLP, current attorneys and agents of record in the above-identified application. Prior to

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January 1, 2005, I was the patent agent at Fish & Neave LLP in charge of the prosecution of this application. As of January 1, 2005, I am now the patent agent at the Fish & Neave IP Group of Ropes & Gray LLP in charge of the prosecution of this application. I make this declaration in support of applicants' Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action and request therein for the Office Action to be re-mailed.

2. It was the practice of Fish & Neave LLP, and is now the practice at the Fish & Neave IP Group of Ropes & Gray LLP, that all correspondence from the United States Patent and Trademark Office, whether addressed to the firm or to an individual attorney or patent agent, is received by the firm's Mail Room and is hand carried to the firm's United States Patent Application Department. After the correspondence has been docketed in that department, it is then hand carried to the attorney, patent agent or patent agent trainee who is primarily responsible for the prosecution of the application to which it relates.

3. I have no recollection of receiving an Office Action dated June 15, 2004 in the above-identified application.

4. Upon information and belief, I believe that an Office Action, dated June 15, 2004, in this application was neither received nor docketed by the United States Patent Application Department of Fish & Neave LLP or the Fish & Neave IP Group of Ropes & Gray LLP.

5. I declare further that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18, United States Code, and that such willful false statements may jeopardize the validity of this application and any patent issuing thereon.


Adam M. Saltzman

CLIENT NO. 3043
MATTER NO. 010

JAN 05 2005

FISH & NEAVE

**1251 AVENUE OF THE AMERICAS
NEW YORK, N.Y. 10020**

INVENTOR Kerin D. Sattenfield, Jim C. Zaxing & Connie T. Marshall

SERIAL NO. 09/516, 429 FILED March 1, 2000

TITLE INTERACTIVE WAGERING SYSTEM WITH CRITERIA WAGERING

ASSIGNEE ODS TECHNOLOGIES, L.P.

ASSIGNMENT RECORDED 3/1/00 10/17/00 REEL 010656 1789 FRAME 384 916

OFFICE ACTIONS

AMENDMENTS

5/16/00 Filing Receipt Received

3-1-00 Executed Declaration filed

6/6/00 Revoked Assignment Paid

3.1.00 Exempted Assignment filed

12/11/00 Notice of Confirmation #

3:100	Formal drawings filed
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2/27/01 Corrected Reproduction of Assignment

8/1/00 Information Ind. Interest

8/6/01-Recorded Assignment Rec'd

8/1/02 Preliminary Assessment

7/15/03 - 3 month final office action

10/11/09 Exempted Equipment (Confirmatory)

7/12/01- Reg. for Connected Notices of Resolutions

4/12/02 - Supplemental ID's filed

4/4/03 - Amendment filed

11/5/04 - Notice of Appeal filed

3/15/04 REC Filed

3/15/04 Response filed

ALLOWED _____ FINAL FEE PAID _____

PATENT NO. _____ DATE _____

MAINTENANCE FEE SCHEDULE			
FEES DUE	FEE PAYABLE BEGINNING	LTR TO CLIENT	FEES PAID

Express Mail No:
EF230784452US

ODS TECHNOLOGIES, L.P.

SaHernfield, Kevin D., et al.

SERIAL NO. 09/516,428

025/10



Patent: ODS/010, United States, REGULAR CASE TYPE, NATIONAL CASE, ORIGINAL OR PATENT CASE

Patent Data

Docket Number	ODS/010	Associate	ADAM M. SALTZMAN
Country	United States	Agent	
Case Type	REGULAR CASE TYPE	Client\Division	ODS PROPERTIES, INC.
Relation Type	ORIGINAL OR PATENT CASE	Current Owner	ODS PROPERTIES, INC.
Filing Type	NATIONAL CASE	Previous Owner	
Filing Number		Text#10	
Status	Filed	First Filing Date	3/1/2000
Sub Status		Sub Status Date	
Parent Country		Parent Filing Date	
Parent Number		Parent Grant Date	
Application Number	09/516428	Application Date	3/1/2000
Patent Number		Grant Date	
Publication Number		Publication Date	
Assigned	ASSIGNMENT RECORDED	Ind. Claims\Designs	0
Convention Type		Total Claims	0
Misc Type		TotalClasses	
TaxAgent		ConfirmationNumber	3649
Reviewer	JOSEPH M GUILIANO	Tax Base Date	
Partner	JOSEPH M GUILIANO	Next Tax Date	
Custom Party #2		Expiration Date	
Custom Party #3		Custom Text #1	
Custom Party #4		Custom Date #1	
Custom Party #5		Custom Text #2	
Custom Party #6		Custom Date #2	
Custom Party #7		Custom Text #3	
Custom Party #8		Custom Date #3	
Agent Ref No		Custom Text #4	
Custom Code #2		Custom Date #4	
Custom Code #3		Text #5	
Custom Code #4		Text #6	
Custom Code #5		Text #7	
Custom Code #6		Text #8	
Custom Code #7		Text #9	
Customer Code	FNPP	Customer Name	Fish & Neave

Title

INTERACTIVE WAGERING SYSTEM WITH CRITERIA WAGERING

Description

RECORDED: MARCH 1, 2000 REEL: 010656 FRAME: 384 CONFIRMATORY ASSIGNMENT RECORDED: OCTOBER 17, 2000 REEL: 11187 FRAME: 461 RECORDATION DATE: OCTOBER 17, 2000 REEL: 11789 FRAME: 916

Current Expense Information

Expenses

Expense	Amount	Expense Date	Invoice Number
ART GROUP NUMBER FOR THE U.S. PTO 3629			

Express Mail No.:
EF230784452US

Other Case-Related Information

Actions

Action	Action Due Date	Taken Date	Deadline Date	Completed Date	Responsible Atty #1	Responsible Atty #2	Action Notes
FOREIGN FILING DEADLINE (12 MO)				2/28/2001			
ASSIGNMENT		10/11/2000		10/17/2000			
RECORDED ASSIGNMENT RECEIVED				8/6/2001			
INFORMATION DISCLOSURE STATE. FILED		8/1/2000		8/4/2000			
FORMAL DRAWINGS FILED		3/1/2000		3/1/2000			
SUPPLEMENTAL DISCLOSURE STATEMENT		4/12/2002		4/15/2002			
REQ./CORR.NOTICE OF RECORDATION		1/22/2001		1/30/2001			
REQUEST FOR CONTINUED EXAMINATION		3/15/2004		3/15/2004			
FINAL REJECTION				7/15/2003			
NOTICE OF CONFIRMATION NUMBER ASSGN				12/11/2000			
APPLICATION REJECTED				10/4/2002			
NOTICE OF APPEAL FILED		1/15/2004		3/15/2004			INEXTENSIBLE
EXECUTED DECLARATION FILED		3/1/2000		3/1/2000			
AMENDMENT FILED		4/4/2003		4/8/2003			
RESPONSE FILED		3/15/2004		3/15/2004			
RECORDED ASSIGNMENT RECEIVED				6/6/2000			
FILING RECEIPT RECD.				5/16/2000			
NEW APPLICATION - SENT TO PTO		3/1/2000		3/1/2000			
ASSIGNMENT		3/1/2000		3/1/2000			
CORRECTED RECORDATION NOTICE				2/27/2001			
REQ./CORR.NOTICE OF RECORDATION		7/12/2001		7/23/2001			
RECORDED ASSIGNMENT RECEIVED				1/3/2001			
PRELIMINARY AMENDMENT FILED		8/1/2000		8/4/2000			

Inventors

Inventor	Assignment Date
SATTERFIELD, KEVIN D.	
ZARING, JON C.	
MARSHALL, CONNIE T.	

CreateUser: GLBM

UpdateUser: raf

CreateDate: 3/8/2000

UpdateDate: 11/30/2004

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